



ERF 11461, 6 FERNKLOOF VILLAGE, EASTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR SUBDIVISION: MESSRS PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF J FERGUSON UNDERWOOD

Notice is hereby given in terms of Section 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), that an application has been received in terms of Section 16(2)(d) of the By-Law to subdivide Erf 11461, Hermanus into 2 portions namely Portion A ($\pm 677\text{m}^2$), and a Remainder ($\pm 713\text{m}^2$).

Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, Paterson Street, Hermanus. Any written comments must be submitted in accordance with the provisions of Sections 51 and 52 of the said By-Law and reach the Municipality (16 Paterson Street, Hermanus / (e) alida@overstrand.gov.za) on or before **Friday, 1 August 2025**, quoting your name, address and contact details, interest in the application and reasons for comment. Telephonic enquiries can be made to the **Town Planner, Mr. P Roux** at 028-313 8900. The Municipality may refuse to accept comments received after the closing date. Any person who cannot read or write may visit the Town Planning Department where a municipal official will assist them in order to formalize their comment.

ERF 11461, FERNKLOOF VILLAGE 6, EASTCLIFF, HERMANUS, OVERSTRAND MUNISIPALE AREA: AANSOEK VIR ONDERVERDELING: MNRE PLAN ACTIVE STADS- EN STREEKBEPLANNERS NAMENS J FERGUSON UNDERWOOD

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening), dat 'n aansoek ontvang is ingevolge Artikel 16(2)(d) van die Verordening om Erf 11461, Hermanus in 2 gedeeltes te onderverdeel naamlik Gedeelte A ($\pm 677\text{m}^2$), en 'n Restant ($\pm 713\text{m}^2$).

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus. Enige skriftelike kommentaar moet ingevolge die bepalings van Artikels 51 en 52 van die Verordening ingedien word en die Munisipaliteit (Patersonstraat 16, Hermanus / (e) alida@overstrand.gov.za) bereik voor of op **Vrydag, 1 Augustus 2025**, met u naam, adres en kontakbesonderhede, belang in die aansoek, sowel as die redes vir kommentaar. Telefoniese navrae kan gerig word aan die **Stadsbeplanner, Mnr P Roux** by 028-313 8900. Die Munisipaliteit mag weier om die kommentaar te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Departement Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

ISIZA ESINGU-ERF 11461, 6 FERNKLOOF VILLAGE, EASTCLIFF, HERMANUS, KUMMANDLA KAMASIPALA I-OVERSTRAND: ISICELO SOKWAHLULUHLULA: MESSRS PLAN ACTIVE TOWN AND REGIONAL PLANNERS EGAMENI LIKA J FERGUSON UNDERWOOD

Kukhutshwe isaziso esimayela nemiba yeSolotyama48 loMthethwana kaMasipala waseOverstrand OsisiHlomelo SoMthethwana OngeziCwangciso Zokusetyenziswa koMhlaba kaMasipala ku2020 (UMthethwana), isaziso esi sithi kufunyenwe isicelo esingemiba yeSolotyama16(2)(d) loMthethwana ongokwahlulahlula isiza esinguErf 11461, Hermanus ibe zizahlulo ezibini 2 ezibizwa Isahlulo A ($\pm 677\text{m}^2$), neNtsalela ($\pm 713\text{m}^2$).

linkcukacha ezipheleleyo mayela nesi siphakamiso ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evekini phakathi kwentsimbi ye08:00 neye16:30 kwiSebe: LeziCwangciso zeDolophu, Paterson Street, Hermanus. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zeSolotyama51 nelama52 loMthethwana ongentla zifike kwaMasipala (16 Paterson Street, Hermanus / (e) alida@overstrand.gov.za) ngomhla okanye ngaphambi ka **Lwesihlanu, 1 EyeThupa 2025**, uchaze igama lakho, idilesi neenkukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zakho zokuhlomla. Imibuzo ngefowuni ingabuzwa **kuMchwangcisi weDolophu, Mnu. P Roux** kwa 028-313 8900. UMasipala angala ukwamkela izimvo ezifike emva komhla wokuvala. Nabani na ongakwazi ukufunda okanye ukubhala angahambela kwiSebe LeziCwangciso zeDolophu apho igosa likaMasipala liza kumnceda ahlomle ngokusemthethweni.

PROPOSED SUBDIVISION
ERF 11461 HERMANUS
OVERSTRAND MUNICIPALITY

MOTIVATION REPORT

1. BACKGROUND

Plan Active Town & Regional Planners has been appointed by Ms. Jane Ferguson Underwood, the registered owner of Erf 11461 Hermanus, to compile and submit a land use application for the proposed subdivision of the subject property.

Erf 11461 Hermanus was established through the consolidation of Erven 10290 and 10291 Hermanus, a process completed in 2012 and formally registered as Erf 11461 in 2013. The current application seeks to subdivide the property in a manner that reflects its original cadastral configuration prior to the consolidation.

At present, Erf 11461 is developed with a primary dwelling located on the southern portion of the site, corresponding with the layout of the former Erf 10290 Hermanus. Notably, the building plans for the existing dwelling were approved under the original erf number and layout. Accordingly, the proposed subdivision will not result in any building line encroachments along the anticipated new cadastral boundary.

The property is currently held under Title Deed T11627/2013, registered in the names of Ms. Jane Ferguson Underwood and the late Mr. Geoffrey Charles Underwood. Pursuant to the provisions of Title Deed T73054/2024, Ms. Underwood has inherited the one-half share previously held by the late Mr. Underwood, thereby becoming the sole registered owner of the property.

Both Title Deeds have been attached for ease of reference. A review of the deeds confirms that there are no restrictive conditions contained therein that would prohibit the proposed subdivision of the property.

Erf 11461 measures approximately 1,390 square metres, making it nearly double the size of a typical residential erf within the Fernkloof Village precinct. The property is situated in a well-established, upmarket residential neighbourhood, and the subdivision is aligned with the prevailing spatial character of the area.

2. APPLICATION DETAILS

This application is submitted in terms of the Overstrand Municipality's Amended By-Law on Municipal Land Use Planning, 2020. Specifically, it is made in accordance with:

Chapter 4, Section 16(2)(d): Application for the subdivision of Erf 11461 Hermanus in order to create one additional erf.

The application seeks to formalize the subdivision of the consolidated property, re-establishing the original two-erf configuration in a manner that is consistent with the historical layout and the current built form.

3. NEED AND DESIRABILITY

3.1 PROPERTY DESCRIPTION

Erf 11461 Hermanus is located within Fernkloof Village, a well-established residential area in Hermanus. The property's position is illustrated on the locality map provided below. For additional spatial context and orientation within the broader urban fabric, kindly refer to the attached locality map accompanying this application.





The property measures 1,390 square metres in extent and is held under Title Deed No. T73054/2024.

The site is currently developed with a dwelling and a well-established garden, both of which contribute significantly to the property's overall aesthetic character and functional amenity. The landscaped garden enhances the visual appeal and integrates seamlessly with the residential environment of Fernkloof Village.

3.2 ZONING

Erf 11461 Hermanus is zoned Residential Zone 1, in accordance with the Overstrand Municipality's zoning scheme. The zoning permits the establishment of residential dwellings and related uses, consistent with the current development on the property.

The surrounding properties are similarly zoned for residential purposes, with portions designated for private open space, nature reserve and public and private road use. Please refer to the zoning map extract provided below for a spatial representation of the zoning context.



3.3 LAND USE

Erf 11461 Hermanus is situated within Fernkloof Village and is zoned Residential Zone 1: Single Residential in terms of the Overstrand Municipality's Zoning Scheme.

The property is currently developed with a primary dwelling, consistent with the permitted uses under this zoning category. Residential Zone 1 allows for the development of a single dwelling unit, the option of a second dwelling, and ancillary structures, all of which align with the property's existing and intended land use.

The surrounding erven within Fernkloof Village are similarly zoned for single residential use, reinforcing the area's cohesive suburban character and supporting the low-density residential form that defines this established neighbourhood.

3.4 THE POTENTIAL OF THE PROPERTY

Erf 11461 Hermanus presents a unique opportunity for subdivision, rooted in its original cadastral configuration. The property was created through the consolidation of Erven 10290 and 10291 Hermanus in 2012 and registered as Erf 11461 in 2013. The current proposal

seeks to subdivide the erf in the same manner as initially intended in the planning and development of Fernkloof Village.

Measuring 1,390 m², the property is significantly larger than the average erf within the area. Its size, combined with the historical two-erf configuration, makes it particularly well-suited for reinstating the original subdivision without disrupting the spatial character or amenity of the surrounding residential environment.

The property is developed with a single dwelling situated on the southern portion, corresponding to the former Erf 10290. This existing layout allows for the creation of a second erf on the northern portion—previously Erf 10291—without any building line encroachments or need for demolition. The mature garden and open space enhance the site's adaptability for subdivision while maintaining privacy and aesthetic continuity.

In conclusion, Erf 11461's original layout, generous extent, and existing development pattern collectively support the property's subdivision. This proposal effectively restores the site's original planning intention, optimising its residential potential in a manner that is sensitive, compliant, and contextually appropriate.

3.5 PROPOSAL

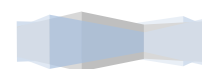
This application proposes the following land use actions for Erf 11461 Hermanus in terms of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020:

- Subdivision of Erf 11461 Hermanus in terms of Chapter 4, Section 16(2)(d), to create one additional erf.

3.6.1 Proposed Subdivision

The application proposes the subdivision of Erf 11461 Hermanus into two residential portions, effectively restoring the original cadastral layout as it existed prior to the 2012 consolidation of Erven 10290 and 10291 Hermanus.

The subdivision will create the following:



- Proposed Portion A: Located on the northern half of Erf 11461, with a proposed extent of 677 m².
- Remainder: Situated on the southern half of the erf, with a remaining extent of 713 m².

These erf sizes mirror the original extents of Erven 10291 and 10290, respectively, as recorded prior to the consolidation into Erf 11461 in 2013. The existing primary dwelling is positioned entirely within the southern portion (the remainder), corresponding to the former Erf 10290. As such, the proposed subdivision will not result in any building line encroachments or alterations to the existing built form.

The subdivision boundary follows a logical, historically grounded alignment that respects both the original development intent of Fernkloof Village and the established pattern of subdivision within the neighbourhood. Each portion will retain adequate access and development potential, fully compliant with the applicable provisions of the Residential Zone 1 designation.

This proposal ensures a contextually appropriate and policy-aligned subdivision, preserving the intent of the original township layout while enabling optimal use of the land within an existing urban footprint.

3.6 ECONOMIC IMPACT

The proposed subdivision of Erf 11461 Hermanus is expected to have a positive economic impact at both the local and municipal levels. By enabling the creation of an additional residential erf within the urban edge of Fernkloof Village, the proposal supports the principles of efficient land use and sustainable urban densification, which are central to contemporary spatial planning policy.

From a local perspective, the development of a second erf will generate short-term employment opportunities in the construction and landscaping sectors, particularly if a new

dwelling is established on the newly created Portion A. This includes the potential for local contractors, suppliers, and service providers to benefit from increased demand.

In the longer term, the subdivision will contribute to increased property tax revenue for the Overstrand Municipality, as two separately rateable properties will replace the single consolidated erf. This aligns with municipal objectives to optimise land use and enhance the financial sustainability of public service delivery.

Additionally, the subdivision has the potential to increase property values in the area by reinforcing the low-density, high-quality residential character of Fernkloof Village. The proposal upholds the aesthetic and functional integrity of the neighbourhood, thus maintaining its appeal to both current residents and potential investors.

Overall, the proposed subdivision represents a balanced approach to growth—stimulating local economic activity and contributing to the municipal revenue base, without placing undue pressure on existing infrastructure or altering the character of the built environment.

3.7 SOCIAL IMPACT

The proposed subdivision of Erf 11461 Hermanus is anticipated to have a neutral to positive social impact, with no adverse effects on the character or cohesion of the surrounding community. Situated within Fernkloof Village, a well-established and low-density residential neighbourhood, the subdivision respects the existing urban form and contributes to the responsible growth of the local housing stock.

By reinstating the property's original subdivision configuration—as reflected in the pre-consolidation layout of Erven 10290 and 10291—the proposal aligns with the intended spatial structure of the area, thereby maintaining the rhythm and scale of development in Fernkloof Village. The creation of one additional erf, in a manner that preserves existing streetscape patterns and land use, ensures that the change will be incremental and non-disruptive.

Furthermore, the proposed subdivision supports inclusive urban development goals by enhancing access to residential opportunities within a desirable and well-served part of Hermanus. Although the development is modest in scale, it contributes to gradual, context-sensitive densification, which is essential for accommodating demographic growth without expanding the urban footprint.

The preservation of the existing primary dwelling, along with the mature garden and spatial buffers, ensures that the amenity, privacy, and visual character of the area will be maintained. In this way, the subdivision fosters continuity in neighbourhood identity while allowing for sustainable adaptation over time.

In conclusion, the proposal strengthens the social fabric of Fernkloof Village by enabling growth that is consistent with the area's history, spatial logic, and residential character—without compromising the quality of life of current or future residents.

3.8 COMPATIBILITY WITH SURROUNDING LAND USES

The proposed subdivision of Erf 11461 Hermanus is fully compatible with the surrounding land uses within Fernkloof Village, a well-established residential neighbourhood characterised by low-density, single residential development. The property is zoned Residential Zone 1: Single Residential, which is consistent with the zoning of adjacent erven and reflects the prevailing land use pattern in the area.

The subdivision will result in the creation of one additional erf, effectively restoring the property's original cadastral layout prior to the 2012 consolidation of Erven 10290 and 10291. This approach reinforces the intended spatial configuration of Fernkloof Village and supports its coherent, residential character.

The surrounding properties are similarly developed with single residential dwellings and landscaped gardens, and the proposal maintains this character by preserving the existing dwelling on the southern portion (former Erf 10290) and allowing for a future dwelling on the newly created northern portion (former Erf 10291). The layout ensures that building line setbacks, access, and visual separation are retained, minimising any impact on neighbouring properties.

Furthermore, the subdivision does not introduce any non-residential uses, higher-density typologies, or infrastructure-intensive changes that could disrupt the area's character. It adheres to land use rights permitted under the zoning scheme and maintains a consistent urban grain that is both contextually appropriate and respectful of the neighbourhood's established identity.

In conclusion, the proposed subdivision is highly compatible with the surrounding land uses, upholding the integrity of the built environment and contributing positively to the cohesive and desirable residential fabric of Fernkloof Village.

3.9 IMPACT ON EXTERNAL ENGINEERING SERVICES

The proposed subdivision of Erf 11461 Hermanus will have no significant impact on external engineering services. The property is located within the fully serviced urban area of Fernkloof Village, and all essential municipal infrastructure—water, sewerage, stormwater, electricity, and access roads—is already in place.

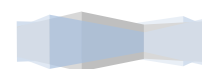
The reinstatement of the original two-erf layout will generate only a marginal increase in service demand, which can be readily accommodated within the existing municipal capacity. Each erf will connect to services via standard connections, and no infrastructure upgrades are required.

In summary, the subdivision is service-feasible, compliant with municipal standards, and will not place undue pressure on external engineering services.

3.10 IMPACT ON HERITAGE

The proposed subdivision of Erf 11461 Hermanus will have no impact on heritage resources. The property is not located within a designated heritage area, nor is it associated with any formally protected structures or sites as defined by the National Heritage Resources Act (Act 25 of 1999).

The existing dwelling is of recent construction, with no known architectural or historical significance, and the subdivision does not involve any demolition or alteration of heritage-sensitive elements. As such, no heritage-related triggers are activated, and the proposal is considered heritage-neutral.



3.11 IMPACT ON THE BIOPHYSICAL ENVIRONMENT

The property is situated within an urban residential environment and is already developed with a primary dwelling and cultivated garden. There are no environmentally sensitive features—such as wetlands, indigenous vegetation, or ecological corridors—on the site.

The subdivision will occur within the existing disturbed footprint and does not entail any extension into natural or undeveloped land. As a result, the proposed activity will have no adverse impact on the biophysical environment, and no environmental authorisation is required in terms of the National Environmental Management Act (NEMA).

3.12 TRAFFIC IMPACT, PARKING AND ACCESS

The proposed subdivision of Erf 11461 Hermanus into two single residential erven is expected to have a minimal impact on traffic volumes within Fernkloof Village. The area is characterised by low-density residential activity, and the creation of one additional erf will generate a negligible increase in vehicular movement, well within the capacity of the existing local road network.

Vehicular access to both erven will be provided from the existing street, with each portion able to accommodate a separate driveway in compliance with municipal engineering and access standards. The proposed layout ensures safe and convenient ingress and egress, with no need for alterations to the existing road infrastructure.

In terms of parking, each erf will be able to provide on-site parking in accordance with the provisions of the Overstrand Zoning Scheme. This ensures that the subdivision will not place pressure on public or roadside parking and will maintain the residential character and streetscape of the neighbourhood.

In conclusion, the proposal is fully compliant with traffic, access, and parking requirements, and no negative impact is anticipated on the surrounding transport network.



3.13 TITLE DEED

Erf 11461 Hermanus is registered under Title Deed No. T73054/2024 in the name of Jane Ferguson Underwood.

A thorough review of the title deed confirms that there are no restrictive conditions that would prohibit or limit the proposed subdivision.

3.14 FORWARD PLANNING AND LAND USE DOCUMENTS

The proposed subdivision of Erf 11461 Hermanus is fully aligned with the applicable forward planning policies and spatial development frameworks guiding land use within the Overstrand Municipality.

In terms of the Overstrand Spatial Development Framework (SDF), 2020, the subject property is situated within an area designated for urban development purposes. The SDF advocates for the efficient and sustainable use of urban land through infill development and context-sensitive densification, particularly in well-established residential neighbourhoods with existing infrastructure and service networks. The proposed subdivision is consistent with these objectives, as it restores the property's historical two-erf layout without increasing land use intensity beyond permissible zoning thresholds.

Additional policy support is provided by the Overstrand Municipal Growth Management Strategy (OMGMS), 2010, which identifies the site as part of Planning Unit No. 1. This planning unit comprises primarily the Hermanus Heights area and its interface with the golf course. The OMGMS recognises the potential for incremental subdivision and second dwelling development, estimating that such changes could be appropriate for up to 10 erven within this unit. The proposed subdivision is directly in line with this forward planning vision and represents a measured, policy-supported form of urban intensification.

In summary, the application responds positively to the municipality's spatial planning

frameworks by promoting responsible land use, reinforcing existing urban form, and enhancing long-term sustainability within a designated growth area.

3.15 PLANNING PRINCIPLES

The proposed subdivision of Erf 11461 Hermanus aligns closely with the overarching objectives and spatial planning principles set out in the Spatial Planning and Land Use Management Act (SPLUMA), 2013. These principles serve as the foundation for all land development applications in South Africa and are aimed at promoting sustainable, inclusive, and efficient spatial development. This proposal reflects strong alignment with the following core SPLUMA principles:

Spatial Justice: The application promotes spatial justice by enabling the development of an additional residential erf within a well-located, accessible, and serviced urban area. By utilising existing urban land more effectively, the subdivision enhances access to residential opportunities without perpetuating exclusionary spatial patterns. It contributes to a more equitable urban form by supporting incremental densification in a high-amenity, centrally situated neighbourhood.

Spatial Sustainability: The subdivision supports spatial sustainability by making optimal use of existing infrastructure and urban land. The property is situated within the established urban fabric of Fernkloof Village, where all municipal services—including water, sewerage, stormwater, and electricity—are already in place. No greenfield development or urban sprawl is involved, and the existing land use rights under Residential Zone 1 accommodate the proposed change without requiring significant deviations from the zoning scheme. This ensures that land and services are used responsibly and efficiently over time.

Spatial Resilience: The proposal contributes to spatial resilience by restoring the original two-erf configuration of the property prior to its 2012 consolidation. In doing so, it reintroduces a flexible and historically intended urban structure that can better adapt to changing social, economic, and environmental conditions. This kind of adaptable urban form supports

resilience in the face of future growth pressures, enabling a balanced response to long-term housing demand.

Efficiency: Efficiency is a key driver behind the proposed subdivision. The development leverages existing infrastructure and access networks, avoids the duplication of services, and ensures that urban land is utilised to its full potential. The proposal enables modest, context-sensitive densification that aligns with local forward planning frameworks—including the Overstrand SDF (2020) and OMGMS (2010)—thereby enhancing the overall efficiency of land development and service delivery.

Good administration: Our firm is committed to the principle of good administration and will cooperate with the Overstrand Municipality to ensure a time efficient, uncomplicated land use planning process. The land use application will follow due process as stipulated in the relevant municipality's bylaw and related provincial and national land use planning legislation. All measures will be taken to ensure an efficient and streamlined process within the applicable timeframes as stipulated by the Overstrand Municipality's Amendment By-law on Municipal Land Use Planning, 2020.

In summary, the application reflects a principled, forward-thinking, and compliant approach to land use planning. It not only responds to site-specific development opportunities but also advances broader spatial transformation goals as envisioned under SPLUMA, reinforcing the values of justice, sustainability, resilience, and efficiency within the urban context of Hermanus.

4. RECOMMENDATION

It is recommended that the Overstrand Municipality approve the proposed land use application for the subdivision of Erf 11461 Hermanus, based on the following key considerations:



- The proposed subdivision reinstates the original cadastral configuration of Erven 10290 and 10291, consolidated in 2012 to form Erf 11461. The layout is consistent with the original planning intention for Fernkloof Village and aligns with the prevailing spatial character of the area.
- The application is fully aligned with the Overstrand Spatial Development Framework (2020) and the Overstrand Municipal Growth Management Strategy (2010), which support context-appropriate infill and incremental residential densification within established urban areas.
- The property is zoned Residential Zone 1, and the subdivision complies with the land use rights afforded by this zoning category. The existing dwelling will remain compliant, and the new portion will be capable of independent development in accordance with applicable zoning provisions.
- The subdivision will not impact any environmentally sensitive areas or heritage resources. The site is already developed, and no demolition, clearance, or disturbance of natural features is proposed.
- The property is located within a fully serviced residential area. The existing infrastructure can accommodate the proposed subdivision without requiring upgrades, and standard connections can be made to all municipal services.
- The proposal promotes spatial justice, sustainability, resilience, and efficiency, in line with the core development principles of the Spatial Planning and Land Use Management Act (SPLUMA), 2013.
- The proposed subdivision maintains the low-density residential form of Fernkloof Village and will not result in visual or functional disruption to the surrounding area.

In light of the above, the application represents a sound, policy-aligned, and sustainable land use intervention, and it is therefore recommended that the subdivision be approved by the Overstrand Municipality.



